

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL LEAGUE:	:	No. 2:12-md-02323-AB
PLAYERS' CONCUSSION	:	
INJURY LITIGATION	:	MDL No. 2323

Kevin Turner and Shawn Wooden,	:
<i>on behalf of themselves and</i>	:
<i>others similarly situated,</i>	:

Plaintiffs,

v.

National Football League and	:
NFL Properties, LLC,	:
successor-in-interest to	:
NFL Properties, Inc.,	:

Defendants.

THIS DOCUMENT RELATES TO:	:
Provost Umphrey Law Firm, LLP v. Scott	:
Kellar Notice of Attorney's Lien	:
(Doc. No. 7466)	:

RESPONSE TO MOTION FOR ORDER TO SHOW CAUSE

On the 3rd day of January, 2020, Mokaram Law Firm received notice of a filing in the United States District Court Eastern District of Pennsylvania that The Honorable Judge Strawbridge requests a response via filing in the Court as to why Judge Strawbridge should not recommend that Provost Umphrey be awarded the full amount sought in its 11/14/2019 proposed Lien Withdrawal and award for counsel fee, including any portion of the 5% holdback that may be released in the future, to be disbursed to Mr. Kellar.

In response to The Honorable Judge Strawbridge's Request, Mokaram Law Firm (the "Firm") respectfully asserts that the full counsel's fee should not be awarded to Mr. Kellar because the appropriate documents have now been submitted according to the rules and the Firm did not receive proper notice of the filing deadlines for the attorney lien submission process.

The Firm did not receive proper notice of these deadlines due to the fact that a new IT provider created problems with the Firm's email system, resulting in numerous emails not

being accessible for a period of time and the deadlines were not met. Upon receiving notice of these missed deadlines, the Firm diligently compiled the necessary responses and submitted them to the Claims Administrator.

Moreover, the Firm has advanced all of the necessary expenses for medical evaluations and expended attorney time that has ultimately generated a significant recovery for Mr. Kellar. Awarding the entirety of the remaining counsel fee's and would unjustly enrich Mr. Kellar in light of the resources expended by the Firm and the fact that the untimely response was due to an IT error not the result of intentional or conscious indifference.

For these reasons we pray that Judge Strawbridge consider the Firm's position and not award Scott Kellar a disproportional amount of attorney's fees.

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2020, I caused a true and correct copy to be filed with the United States Court for the Eastern District of Pennsylvania via the Court's CM/ECF system, and that the filing is available for downloading and viewing from the electronic court filing system by counsel for all parties.

Respectfully,

Attorney Jante Langan

/s/ Jante Langan

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